

REMARKS

This Amendment is being filed in response to the Final Office Action mailed October 19, 2006, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the remarks to follow are respectfully requested.

In the Final Office Action, claims 1-11 and 13-18 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,714,594 (Dimitrova). Claims 10 and 12 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by PCT Publication No. WO 01/35409 (Christopher). Claim 19 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Christopher, in view of U.S. Patent No. 6,993,245 (Harville). It is respectfully submitted that claims 1-19 are patentable over Dimitrova, Christopher and Harville for at least the following reasons.

Dimitrova is directed to a process for content detection in video data where one or more features may be employed as indicators of start and/or end of commercials. As recited on column 7, lines 55-61, the following features may be used to detect commercial

breaks:

- Scene change detection
- Black frame/Unicolor frame detection
- Letterbox detection
- Interlaced/progressive Indicator
- Keyframe distance

It is respectfully submitted that the above-noted features in Dimitrova do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 7 and 10 which, amongst other patentable features, requires (illustrative emphasis provided):

detecting a plurality of separators based on said generated compressed video data, each of said separators is defined by at least two consecutive scene changes.

There is simply no teaching or suggestion in Dimitrova of detecting a separator which is defined by at least two consecutive scene changes. Rather, Dimitrova teaches to detect commercial using a combination of features, such as the features noted above and recited on column 7, lines 55-61. For example, Dimitrova may use scene change detection combined with Black frame detection to detect commercial breaks. In Dimitrova, using a combination of features, one for trigger and another for verification of commercial breaks, prevents false-positives, as specifically

recited on column 10, lines 16-19: "one feature is used as a trigger and one or more other features used to verify so as to delete false-positives." (Emphasis added)

Thus, Dimitrova teaches to use a single scene change combined with some other feature, such as black frame/Unicolor frame detection. Similar to Dimitrova, Christopher teaches continuously monitoring a single scene change.

In particular, Christopher is directed to a method and apparatus for automatically identifying and selectively skipping segments of a video signal. It is respectfully submitted that Christopher, similar to Dimitrova, teaches detecting a single scene change, as specifically recited throughout Christopher, such as the abstract, lines 6-7 "detect a scene change;" page 11, lines 27-28 "detect a cue which signifies a scene change transition to a commercial advertisement;" page 12, line 1, "such a transition cue;" and page 17, line 20, "a processor responsive to each detected scene change;" where all these references to a scene change or a transition cue are in the singular, and not in the plural thus indicating a single scene change or a transition cue. Therefore, similar to Dimitrova, Christopher also does not teach or

suggest detecting a separator which is defined by at least two consecutive scene changes, as recited in independent claims 1, 7 and 10.

Further, Applicant respectfully refutes the allegation on page 3 of the Final Office Action that:

{t}herefor, "two consecutive scene changes"
here is indeed a "single scene change"

It is respectfully submitted that the recitation in independent claims 1, 7 and 10 of detecting separators based on a generated compressed video data, where each of separators is defined by at least two consecutive scene changes does not mean that a separator is defined by a single scene change, as alleged in the Final Office Action. Rather, it means that a separator is defined by at least two consecutive scene changes.

For example, as shown in FIG 3, two black frames B separate a program P from a commercial C1. FIG 3 shows the following four frames P-B-B-C1. Illustratively, a first scene change exists between frames P-B, which may be defined as $\Delta 1$; and a second scene change exists between frames B-C1, which may be defined as $\Delta 2$, where the two scene changes $\Delta 1$, $\Delta 2$ are consecutive and thus define

a separator. That is, the separator is defined by at least two consecutive scene changes $\Delta 1$, $\Delta 2$; and not by a single scene change. It is respectfully submitted that the two consecutive scene changes $\Delta 1$, $\Delta 2$ are NOT a single scene change, as alleged on page 3 of the Final Office Action.

Detecting a separator which is defined by at least two consecutive scene changes, as recited in independent claims 1, 7 and 10, is nowhere taught or suggested in Dimitrova, Christopher, or combination thereof.

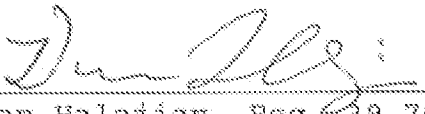
Harville is cited to allegedly show other features and does not remedy the deficiencies in Dimitrova and Christopher. Accordingly, it is respectfully submitted that independent claims 1, 7 and 10 should be allowable. In additions, claims 2-6, 8-9 and 11-19 should be allowable at least based on their dependence from independent claims 1, 7 and 10.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to

submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101